

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Stanley County School District
Continuous Improvement Monitoring Process Report 2004**

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Dates of On Site Visit: September 8th & 9th, 2004

Date of Report: October 9, 2004

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left not addressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- Comprehensive plan
- TAT information
- Student file reviews
- Local newspaper, radio, annual screening, newsletters, on-going referrals
- Head Start
- Annual needs assessment

Meets Requirements

The steering committee determined that the district's comprehensive plan is followed for collecting, maintaining and reporting data for all child find activities and referrals. In addition, the committee concluded relevant school data is used to analyze and review the district's progress toward the state performance goals and indicators.

The steering committee concluded the district's comprehensive plan addresses student suspension and expulsion policies. No student in the district was suspended or expelled from 2000 through 2003. The district adheres to the annual state guidelines for reporting students who have been suspended, expelled, or dropped out.

Through a review of Table B, the steering committee determined the district employs and contracts with personnel who are fully licensed or certified to work with children who have disabilities.

The steering committee reached consensus that the district uses the comprehensive plan, local and state policies and regulations and staff needs to fulfill the general supervision requirements.

Not Applicable

There are no private schools in the district; however, the steering committee indicated guidelines are in the district's comprehensive plan.

Validation Results

Promising Practice

The monitoring team concluded that the district's provision of autism training six times during the 2003 school year to a parent, two teachers, special education teacher, speech/language therapist and occupational therapist was a promising practice.

Meets Requirements

Through interviews, state data tables and file reviews, the monitoring team validated the steering committee's conclusion that the district meets the requirements for referrals, analyzing and reporting progress toward the state performance goals and indicators, suspension and expulsion and employing fully licensed or certified staff to work with children with disabilities.

Out of Compliance

24:05:17:03 Annual report of children served

During interviews and file reviews, the monitoring team was unable to validate a student on the district's child count had an IEP in place on December 1, 2003. The district will have federal funds withheld to correct this error.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Parent survey
- Comprehensive plan
- State data tables
- Student files

Meets Requirements

The steering committee concluded the district provides a free appropriate public education (FAPE) to all eligible children with disabilities. In addition, the district's comprehensive plan ensures suspension and expulsion procedures are in accordance with FAPE requirements.

Validation Results

Promising Practice

The monitoring team concluded a promising practice in the district is their development of a Model of Behavior Management to teach appropriate behaviors. In addition, the team determined that the middle school counseling curriculum strand, making wise choices and conflict resolution, is a promising practice.

Meets Requirements

The review team validated through interviews and data tables that the district meets the requirements for the provision of a free appropriate public education to children with disabilities.

Principle 3 – Appropriate Evaluation

A team of knowledgeable staff, which also includes parental input, conducts a comprehensive evaluation. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Prior notice document
- Parent surveys

- State data tables
- Parent rights booklet

Promising Practice

The steering committee found that all the student files reviewed contained functional assessments and transition evaluations for students prior to turning age 14; thus, the committee concluded these activities to be promising practices.

Meets Requirements

According to student files, parent surveys, the comprehensive plan, and state data tables, the steering committee concluded the district insures proper identification of students with disabilities through the evaluation process.

Out of Compliance

In 15 district files reviewed, the steering committee reached consensus that the district was out of compliance, because two student files did not contain documentation of parent input into the evaluation process.

The steering committee concluded the district was out of compliance, because three transfer student files did not contain the required content in the written notice.

The committee also found two student files did not list all the tests to be given on the written notice; thus, they determined this to be an area out of compliance. The committee noted one of the students was evaluated out of district. Another out of compliance area the steering committee determined was that two files for students assessed out of district lacked assessment in all required areas.

Prior notice/consent was acquired before evaluations were administered in 9 of 12 student files reviewed: two were assessed out of district. One student was assessed 11 days before consent was received. Both findings, the steering committee concluded, were out of compliance.

Validation Results

Meets Requirements

Functional assessments are required and transition evaluations must be conducted for students prior to turning age 14; therefore, the monitoring team did not validate these areas as promising practices for the district.

The monitoring team validated the steering committee's conclusion that the district insures proper identification of students with disabilities through the evaluation process.

The monitoring team, through interviews and file reviews, found parent input into evaluation and parental consent was received for evaluations; therefore, the team did not validate these areas as being out of compliance.

Through interviews and file reviews, the monitoring team did not validate that a behavioral assessment was not done with a student suspected of having an emotional disturbance. The team determined a behavior rating assessment verified the student's emotional functioning was long term, two standard deviations below the mean in all environments and adversely affecting the student's educational performance.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- File reviews
- Comprehensive plan
- Parent surveys
- Managing public records

Meets Requirements

The steering committee concluded that the comprehensive plan addresses procedures for confidentiality and access to records, which are followed by the district. In addition, the committee found the district adheres to the Managing Public Records requirement by maintaining educational records for five years.

The district has not had any complaints or due process hearings; however, the committee determined the comprehensive plan addresses the procedures the district would follow upon receiving a compliant or an oral or written request for any type of a due process hearing.

Out of Compliance

The steering committee concluded the district was out of compliance, because two transfer student files showed that parental rights information was not sent to parents with the prior notice for consent.

The district did not have a list of individuals who may serve as a surrogate parent; therefore, the steering committee determined this was an area out of compliance.

Validation Results

Meets Requirements

Through interviews and file reviews the monitoring team validated the district meets the requirements for procedural safeguards.

Through file reviews, interviews and inspection of the prior notice form, the monitoring team did not validate the steering committee's finding that parents did not receive a copy of their rights with the prior notice for consent. There was no indication that parents had not received the rights booklet with the prior notice. The district recently revised their prior notice document, which now has a line that is checked to indicate the enclosure of the parental rights booklet.

The district has developed a list of individuals who may serve as surrogate parent; therefore, the monitoring team did not validate this as an area out of compliance.

Needs Improvement

The team found it confusing that “Language” was listed above “Speech” in the section of assessments to be given on the prior notice. In interviews, the monitoring team determined that the term referred to when the Speech/Language Therapist would be testing language only, not articulation. At the exit conference, the district agreed to revise the form for clarification.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- File reviews
- Parent surveys
- Student surveys
- Teacher surveys
- State data table

Meets Requirements

The steering committee concluded the district has never refused to hold an IEP meeting at the request of a parent. In 15 files reviewed, the committee found all parents were sent written notice five days prior to the IEP meeting.

The committee determined transition evaluations were given to all students turning 14 years of age before their next annual IEP meeting, as well as students 14 years and older. Each transition age student was invited to attend his/her IEP meeting. The course of study was documented for each student and the IEPs of students age 14 and 15 had documentation of employment and independent living. Based on this information, the committee concluded the transition section for age 14 and 15 year-old student IEPs met requirements.

Needs Improvement

One of four IEPs for transition age students documented transition goals, services/activities; however, the steering committee concluded the goals were not well linked to the student’s transition assessments, life planning outcomes and present levels of performance. In addition, the committee found three of the four transition-age students’ IEPs did not address justification for the transition services/activities. The steering committee concluded these transition areas are in need of improvement.

Out of Compliance

Representatives from other agencies were not invited to participate in IEP meetings for students of transition age; therefore, the steering committee concluded this to be an area out of compliance.

The steering committee found the district to be out of compliance in documenting parent input in six IEP present levels of performance.

Upon review of student IEPs, the committee reached consensus that the district was out of compliance for not addressing all areas in the present levels of performance in eight files. They also determined six student IEPs did not have skill-based, measurable/observable annual goals and measurable short-term objectives containing the criteria. In addition, the committee concluded that five IEP justification statements were out of compliance, because they did not address why instruction could not be provided in the general classroom setting.

The committee found six student IEPs lacked a specific description of the provision of related services; thus, they concluded this to be an area out of compliance.

The steering committee determined the district to be out of compliance, because one IEP did not contain the initials to indicate the parent received a copy of the IEP.

Two student files were not reviewed by the annual date, which the steering committee concluded to be out of compliance.

Validation Results

Promising Practice

The district provides teacher input forms to the regular education teachers who cannot attend student IEP meetings. Copies of the forms are given to the parents at the meetings. The monitoring team concluded this is a promising practice, because it suggests the district has made a commitment to keep parents well informed of their child's academic performance.

Meets Requirements

The monitoring team validated all the IEP areas identified by the steering committee as meeting requirements.

The monitoring team did not find any files that did not adhere to the annual IEP meeting date. In addition, the team did not review any IEPs that did not have parent initials for receiving a copy of the IEP. The monitoring team did not validate the steering committee's out of compliance conclusions in these two areas.

Out of Compliance

The monitoring team validated the following areas that the steering committee had concluded to be out of compliance.

ARSD 24:05:27:01:03 Content of Individualized Education Plan

A student's IEP must contain present levels of performance based on the skill areas affected by the student's disability. The present levels of performance are based on parent input and should be a reflection of the functional assessment information gathered during the comprehensive evaluation. The areas to be addressed are required to be in the present levels of performance. In addition, how the child's disability affects his/her progress in the general curriculum must be addressed. The present levels of performance in 15 of the 21 files reviewed by the monitoring team did not document the areas to be addressed.

The monitoring team determined 19 of the 21 student IEPs reviewed did not contain skill specific functional assessment information in the present levels of performance (PLOPs). Examples of a student's PLOPs strengths were, "Improved dramatically on last test", "Earned good grades" and "Positive attitude". Examples of weaknesses were, "Fractions", "Division" and "Does not like

math”. In addition, the present levels of performance did not address transition in the four transition age students’ IEPs reviewed by the team.

Annual goals must be measurable and reasonable for the student to accomplish. The monitoring team concluded six files did not have measurable annual goals. Examples of the district not meeting this requirement are: “... will improve expressive and receptive language skills”; “... will use appropriate social skills”; and, “...will improve organizational skills”.

The annual goal or short-term objectives must address the condition, performance and criteria. Through file reviews, the team determined that 8 of the 21 student IEPs did not consistently state the criteria.

For each student beginning at age 16 or younger, if determined appropriate by the placement committee, a statement of needed transition services, including, as applicable, interagency responsibilities or any needed linkages. Through interviews and file reviews, the monitoring team determined transition areas identified by the steering committee as needing improvement had similar descriptions of transition services rather than individualized transition services. During the on-site review, a monitor provided technical assistance to the special education teacher who writes IEPs with transition services and goals.

If determined appropriate by the placement committee, an agency representative who is likely to be responsible for providing transition services is to be invited to the IEP meetings of students’ age 16 or older. Through interviews, the monitoring team determined that the district was not aware of this requirement until it was addressed by the steering committee.

24:05:27:04 Determination of related services

Related services support the provision of special education, including transportation and those developmental, corrective and other supportive services determined by an IEP team to be required for an eligible child to benefit from special education.

Through interviews and file reviews, the monitoring team concluded 5 of 9 files for students’ receiving related services did not address the location, and one of the files did not address the amount of related services.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- Student files
- Comprehensive plan
- Student surveys

Meets Requirements

The steering committee determined the district's comprehensive plan addresses services and alternative placement options based on the needs of each individual student. The committee determined all children with disabilities receive services in the least restrictive environment with the supports they need for their successful participation.

Validation Results**Meets Requirements**

The monitoring team validated the steering committee's conclusion that the district meets the requirements of least restrictive environment. To support the data regarding least restrictive environment, individual team members conducted observations in a high school, middle school and two elementary regular education classrooms. Students in the elementary settings were seated in small groups. All the children with a disability were seated towards the front of the classroom, and their teachers tended to call upon them frequently to maintain their attention.

Needs Improvement

Each student's IEP must include a justification for placement other than the regular classroom. Through file reviews, the monitoring team determined the specific reason(s) the IEP team determined a student was in need of a placement was sometimes vague; for example, "... needs small group instruction to learn and practice sound placement".

Please note:

The monitoring team would like to thank the district for having available a copy of the district's comprehensive plan, memo pads, pens, and other essentials.